

Effective 5/12/2015

38-8-1 Definitions.

As used in this chapter:

- (1) "Certified mail" means:
 - (a) a method of mailing that is offered by the United States Postal Service and provides evidence of mailing; or
 - (b) a method of mailing that is accompanied by a certificate of mailing executed by the individual who caused the notice to be mailed.
- (2) "Default" means the failure to perform in a timely manner any obligation or duty described in this chapter or the rental agreement.
- (3) "Email" means an electronic message or an executable program or computer file that contains an image of a message that is transmitted between two or more computers or electronic terminals, including electronic messages that are transmitted within or between computer networks.
- (4) "Last known address" means the postal address provided by an occupant in a rental agreement or, if the occupant provides a subsequent written notice of a change of address, the postal address provided in the written notice of a change of address.
- (5) "Last known email address" means the email address provided by an occupant in a rental agreement or, if the occupant provides a subsequent written notice of a change of address, the email address provided in the written notice of a change of address.
- (6) "Occupant" means a person, or the person's sublessee, successor, or assignee, entitled to the use of a storage space at a self-service storage facility under a rental agreement, to the exclusion of others.
- (7) "Owner" means:
 - (a) the owner, operator, lessor, or sublessor of a self-service storage facility;
 - (b) an agent of a person described in Subsection (7)(a); or
 - (c) any other person authorized by a person described in Subsection (7)(a) to manage the facility or to receive rent from an occupant under a rental agreement.
- (8) "Personal property" means movable property not affixed to land and includes goods, merchandise, and household items.
- (9) "Rental agreement" means any written agreement or lease that establishes or modifies the terms, conditions, rules, or any other provisions relating to the use and occupancy of a unit or space at a self-service storage facility.
- (10)
 - (a) "Self-service storage facility" means real property designed and used for the purpose of renting or leasing individual storage space to occupants who have access to the facility for the purpose of storing personal property.
 - (b) "Self-service storage facility" does not include:
 - (i) a warehouse described in Section 70A-7a-102;
 - (ii) real property used for residential purposes; or
 - (iii) a facility that issues a warehouse receipt, bill of lading, or other document of title for the personal property stored at the facility.
- (11) "Vehicle" means personal property required to be registered with the Motor Vehicle Division pursuant to Title 41, Chapter 1a, Part 2, Registration, Title 41, Chapter 22, Off-Highway Vehicles, or Title 73, Chapter 18, State Boating Act.

Amended by Chapter 258, 2015 General Session